

1 February 1989

Personnel - General

NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

This regulation assigns responsibility and prescribes procedures to effectuate Title VI of the Civil Rights Act of 1964 (PL 88-352). It implements and supplements Department of Defense (DOD) Directive 5500.11, Nondiscrimination in Federally Assisted Programs, DOD Directive 1020.1, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of Defense, and AFR 30-12, Nondiscrimination in Federally Assisted Programs. It applies to all units of the Civil Air Patrol.

1. Background:

a. Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. The law further requires that rules, regulations, or orders of general applicability be approved by the President before they become effective.

b. DOD Directive 5500.11, Nondiscrimination in Federally Assisted Programs, (attachment 1) has been approved by the President and was published in the "Federal Register" on 31 December 1964. It is the basic implementing directive for all departments and agencies of the Department of Defense and is applicable to the Civil Air Patrol.

c. DOD Directive 1020.1, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of Defense, (attachment 2) provides that no qualified handicapped person in the United States shall on the basis of handicap be excluded from participation in, denied the benefit of, or otherwise subjected to discrimination under any program or activity conducted by the Federal Government or receiving Federal financial assistance.

2. Responsibility:

a. Region and wing commanders:

(1) Are responsible for implementing and enforcing DOD Directives 5500.11 and 1020.1 throughout their respective regions and wings.

(2) Will maintain DOD Directives 5500.11 and

1020.1 at each wing and region headquarters to be made available for review upon request by any member of Civil Air Patrol.

(3) Will maintain such records as they determine are necessary to ascertain compliance with these directives.

b. National Headquarters:

(1) DCS/Personnel is responsible for overall monitorship of this program, to include the processing of required reports to appropriate Air Force agencies, and for periodically reviewing Civil Air Patrol policies and practices to assure compliance with DOD Directives 5500.11 and 1020.1.

(2) DCS/Logistics will monitor those aspects of DOD Directive 5500.11 concerned with the acquisition of excess or surplus property.

(3) Staff Judge Advocate is responsible for the conduct of hearings pursuant to paragraph XC, DOD Directive 5500.11 and for ensuring that complaints are processed in accordance with paragraph k (enclosure 4), DOD Directive 1020.1.

(4) Inspector General will review compliance with this regulation and the attachment during inspections and will record any incidents or complaints concerning the administration of this program.

3. Reports. Individual incidents and complaints regarding alleged discrimination or discriminatory practices will be promptly reported by wing and region commanders directly to the Director, CAP Personnel at National Headquarters. Such reports may be made by USAF-CAP liaison officers on behalf of the commanders via telephone and will be confirmed in writing immediately following submission of oral reports.

OFFICIAL

JOHN T. MASSINGALE, JR., Col, USAF
Executive Director

SIGNED

ELIZABETH A. MASHBURN, Maj, USAF
Director of Administration

2 Attachments (Wing & Region HQ Only)

1. DOD Directive 5500.11

2. DOD Directive 1020.1

SUMMARY OF CHANGES

This revision includes the recent change to AFR 30-12 to incorporate DOD Directive 1020.1 (para 1c); and furnishes the attachments to wing and region headquarters to be made available to any CAP member upon request.

Supersedes CAPR 39-1, 7 October 1977.

OPR: DPH

Distribution: In accordance with CAPR 5-4.